

RECORD OF PROCEEDINGS
COLORADO STATE BOARD OF VETERINARY MEDICINE
PUBLIC MINUTES
December 17, 2009

Notice of this meeting was published at www.dora.state.co.us/veterinarians/publicnotices.htm, at least 7 days in advance of the meeting date.

I. CONVENE

The Open Session of the meeting for the Colorado State Board of Veterinary Medicine was convened at One Civic Center Plaza, 1560 Broadway, Suite 110 D, Denver, Colorado 80202, at 8:35 a.m. by Michael Gotchey, DVM, Board President.

In addition to Dr. Gotchey, were Board members:

Richard Leone, DVM, Board Vice-President
Joni Edwards, DVM, Board Secretary
Kim Stone, DVM, Professional Member
Kristin Woestehoff, DVM, Professional Member
Stacy Worthington, Public Member

Staff:

Maulid Miskell, Program Director
Rosemary Baker, Administrative Assistant
Leanne Clasen, Program Manager
Rita Quinn, Assistant Attorney General
Abigail Gaskins, Compliance Monitor
Kennetha Julian, Office of Expedited Settlement
Leslii Lewis, Office of Expedited Settlement
Jack Steele, Office of Expedited Settlement
Glenn Frank, Office of Investigations
Les Roberts, Office of Investigations
Jacqueline Arcelin, State Board of Chiropractic Examiners

II. APPROVAL OF MINUTES

A motion was made, seconded, and carried to approve the October 8, 2009 meeting minutes.

III. REPORTS

• Report from Maulid Miskell, Program Director.

Mr. Miskell informed the Board that Rudyard Cooper, Public Board Member, resigned due to relocation to another state. The Governor's Office of Boards and Commissions will be seeking a replacement.

Mr. Miskell introduced Bryan Jameson, Policy Analyst from the Office of Policy, Research, and Regulatory Reform. Mr. Jameson will be attending meetings and contacting Board members and other interested parties concerning the upcoming Sunset Review.

Mr. Miskell proposed scheduling a meeting the day after the scheduled February 4, 2010 Board meeting to begin work on rules and policies. A motion was made, seconded and carried to schedule the meeting on February 5, 2010 at 8:30 a.m. in Conference Room 1250 C. Notice of this meeting will be published at least 7 days in advance of the meeting date.

Mr. Miskell reviewed the protocol for issuing a Letter of Concern.

• Report from the Board President, Michael Gotchey, DVM.

At Dr. Gotchey's request, Dr. Edwards gave a report on the Fall Leadership Conference sponsored by the Colorado Veterinary Medical Association from November 13 to 15, 2009.

IV. CONTINUING EDUCATION

• **Continuing Education Requests – Joni Edwards, DVM**

The bi-monthly requests were reviewed in advance by Dr. Edwards. A motion was made, seconded, and carried to approve all continuing education requests as submitted.

V. OPEN FORUM

Ralph Johnson from the Colorado Veterinary Medical Association informed the Board that CVMA had established a Task Force to monitor the upcoming Sunset Review.

Denise Mikita from the Colorado Association of Certified Veterinary Technicians (CACVT) introduced their newly hired Administrator, Jeff Bowles.

VI. NEW BUSINESS

• **Memorandum regarding NBVME presentation.**

Dr. Mike Thomas and Dr. James Dalley from the National Board of Veterinary Medical Examiners gave a presentation and slide show about the history and process at NBVME.

• **Memorandum regarding Animal Chiropractic presentation.**

Jacqueline Arcelin from the Board of Chiropractic Examiners staff gave a presentation and handout regarding the new legislation and three programs for animal chiropractic that the Chiropractic Board had approved. A motion was made, seconded and carried to approve the Chiropractic Board's actions.

• **Memorandum regarding Pima Medical Institute.**

Board Noted.

• **Memorandum regarding American Association of Rehabilitation Veterinarians.**

Board Noted.

• **Memorandum regarding American Physical Therapy Association.**

Board Noted.

• **Memorandum regarding Food and Drug Administration and Phenylbutazone.**

Board Noted.

• **Memorandum regarding shelter animal medications.**

A motion was made, seconded and carried to table responding to questions from the Table Mountain Animal Shelter until the Board of Pharmacy could offer an opinion.

VII. OLD BUSINESS

• **Memorandum regarding 2010 Board meeting schedule. (Tabled from the October 8, 2009 Board meeting.)**

A motion was made, seconded and carried to approve the schedule as amended. The October 7, 2010 meeting was moved to October 14, 2010.

• **Memorandum regarding Colorado State University spring presentation. (Tabled from the October 8, 2009 Board meeting.)**

Members of the Board volunteered to participate in a lecture presentation at CSU on Tuesday, April 27, 2010 from 2:00 p.m. to 2:50 p.m. They are Dr. Joni Edwards, Dr. Michael Gotchey, Dr. Kim Stone, Dr. Kristin Woestehoff, and Stacy Worthington.

• **Norman Laber, DVM #1748**
Case # 2008-3683

After careful consideration of the information provided, a motion was made, seconded, and carried to table pending improvement per the practice monitor.

• **Jeffrey Piper, DVM #5054**
Case # 2007-0474

After careful consideration of the information provided, a motion was made, seconded, and carried to grant termination from probation.

XIII. ADJOURNMENT - OPEN SESSION

Michael Gotchey, DVM, Board chair, moved on December 17, 2009 at 2:59 p.m. that the Board of Veterinary Medicine enter into Executive Session for the purpose of discussing with counsel disputes that are the subject of pending or imminent court action, discussing specific claims or grievances, and receiving legal advice on specific legal questions, pursuant to Colorado Revised Statutes section 24-6-402 (3) (a) (II), including:

The legal basis for potential disciplinary action, and, where warranted, recommended settlement guidance for matters discussed in open session today and referred to executive session.

- Jack Lebel, DVM
- Scott Carpenter, DVM
- Gwen Gadd, DVM
- Teresa Seggerman, DVM
- Laura Thompson (Higgins), DVM
- Felix Duerr, DVM
- Michael King, DVM
- Lisa Klopp, DVM
- Anthony Henderson, DVM
- Larry Krugman, DVM (2 cases)
- Brad Hines, DVM
- Lisa Barlow, DVM
- Kathleen Brown, DVM
- Robyn Elmslie, DVM
- Lee Bregitzer, DVM

Settlement, counteroffers and other legal questions pertaining to open cases referred to the Expedited Settlement Program, including the case status report.

Counteroffers, settlement issues and other legal questions pertaining to cases with the Attorney General's Office, including the case status report.

Specific claims or grievances, or regarding legal advice on specific legal questions, specifically changes to the Open Meetings law.

XIII. ADJOURNMENT - EXECUTIVE SESSION

Open session of the meeting for the Board of Veterinary Medicine adjourned at 2:59 p.m. The Board then entered into Executive Session and reconvened in Open Session at 6:00 p.m. The final meeting adjournment was at 6:05 p.m. The Board will reconvene on Thursday, February 4, 2010 at One Civic Center Plaza, Room 1250 C, Denver, CO 80202, at approximately 8:30 a.m.

Attestation:

Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S., as Board Chair, I attest that the Executive Session of the Colorado State Board of Veterinary Medicine meeting held on October 8, 2009 was confined to the topics authorized for discussion pursuant to § 24-6-402(3)(a)(II), (III), and (IV), C.R.S.

Approved by _____ Signed by Michael Gotchey, DVM _____ December 17, 2009
Board President *Date*

Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S., as counsel for the Board, I attest that it is my opinion that all matters discussed during the Executive Session of the Colorado State Board of Veterinary Medicine meeting held on October 8, 2009 constituted attorney-client communications and the contents of attorney-client discussions are not reflected within these minutes.

Approved by _____ Signed by Rita Quinn _____ December 17, 2009
Assistant Attorney General *Date*